

1-1 By: Geren (Senate Sponsor - Zaffirini) H.B. No. 4738  
 1-2 (In the Senate - Received from the House April 30, 2025;  
 1-3 May 1, 2025, read first time and referred to Committee on Finance;  
 1-4 May 14, 2025, reported favorably by the following vote: Yeas 15,  
 1-5 Nays 0; May 14, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			
1-21	X			
1-22	X			

1-23 A BILL TO BE ENTITLED  
 1-24 AN ACT

1-25 relating to the elimination of the remittance of a portion of  
 1-26 certain loan administration fees to the comptroller.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Section 342.201(f), Finance Code, is amended to  
 1-29 read as follows:

1-30 (f) A loan contract under this subchapter may provide for an  
 1-31 administrative fee in an amount not to exceed \$25 for a loan of more  
 1-32 than \$1,000 or \$20 for a loan of \$1,000 or less. The administrative  
 1-33 fee is considered earned when the loan is made or refinanced and is  
 1-34 not subject to refund. An administrative fee is not interest. A  
 1-35 lender refinancing the loan may not contract for or receive an  
 1-36 administrative fee for the loan more than once in any 180-day  
 1-37 period, except that if the loan has an interest charge authorized by  
 1-38 Subsection (e) the lender may not contract for or receive the  
 1-39 administrative fee more than once in any 365-day period. [~~One~~  
 1-40 ~~dollar of each administrative fee may be deposited with the~~  
 1-41 ~~comptroller for use in carrying out the finance commission's~~  
 1-42 ~~responsibilities under Section 11.3055.~~]

1-43 SECTION 2. Section 342.308(c), Finance Code, is amended to  
 1-44 read as follows:

1-45 (c) An administrative fee under Subsection (a)(9) is  
 1-46 considered earned when the loan is made or refinanced and is not  
 1-47 subject to refund. A lender refinancing the loan may not contract  
 1-48 for or receive an administrative fee for the loan more than once in  
 1-49 any 180-day period. [~~Fifty cents of each administrative fee may be~~  
 1-50 ~~deposited with the comptroller for use in carrying out the finance~~  
 1-51 ~~commission's responsibilities under Section 11.3055.~~]

1-52 SECTION 3. The change in law made by this Act does not  
 1-53 affect tax liability accruing before the effective date of this  
 1-54 Act. That liability continues in effect as if this Act had not been  
 1-55 enacted, and the former law is continued in effect for the  
 1-56 collection of taxes due and for civil and criminal enforcement of  
 1-57 the liability for those taxes.

1-58 SECTION 4. This Act takes effect January 1, 2026.

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